

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Steven Adrian (Reg. No. 48,075) on 06/05/2008.

The application has been amended as follows:

Claims 1, 10 and 11 have been amended in the following final form:

1. (Currently amended) A clip, comprising:

a first clipping arm and a second clipping arm capable of pressing and holding therebetween a clipped object constituted of a flexible hollow member, thereby forming an independent, separate space in the clipped object,

a latching portion having a male member and a female member to engage with the male member, and

a latching releaser to release engagement between the male member and the female member, wherein

(1) either the first clipping arm or the second clipping arm has an elastic member at a second end of the clip,

(2) the latching releaser is connected to the elastic member at a connecting point and extending toward the a first end of the clip and along the an outer side of the first or second clipping arm,

(3) either the male member or the female member is disposed on a tip end of an the elastic member, the other of the male member or the female member being disposed on the other of first clipping arm and the second clipping arm, and

(4) the elastic member has a fulcrum disposed further from the first end of the clip than the connecting point.

10. (Currently amended) The clip according to claim 1, wherein the first clipping arm and the second clipping arm are pivotally connected at ~~a~~ the first end of the clip.

11. (Currently amended) The clip according to claim 1, wherein the first clipping arm and the second clipping arm are pivotally connected by a hinge portion integrally molded with at least one of the first clipping arm or the second clipping arm at the first end of the clip.

REASONS FOR ALLOWANCE

The following is an examiner's statement of: In view of the amendments file on 22 May 2008, and the examiner's amendment set forth in this Office communication, claims 1, and 4 through 12, are in condition for allowance. Applicant's reasons on pages 5 and 6 of the response filed on 22 May 2008, which are incorporated as the reasons for allowance, of which Olson does not show: the latching releaser not extending toward the first end along the outer side of the first or second clipping arm; the elastic member does not have a fulcrum disposed further than the connecting point; and "Olson does not teach or suggest "(2) the latching releaser is connected to the elastic member at a connecting point and extending toward the first end along the outer side of the first or second clipping arm," and "(4) the elastic member has a fulcrum disposed further from the first end than the connecting point." These arguments are persuasive. Therefore, all objections and rejections indicated in the prior Office action each have been withdrawn.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robert J. Sandy whose telephone number is 571-272-7073. The examiner can normally be reached on M-F (7:30-4:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vic Batson can be reached on 571-272-6987. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Robert J. Sandy/
Primary Examiner, Art Unit 3677